

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

-vs-

MARIO MINOR aka Rio

Defendant

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:
: CASE NO. 1:06CR565
:
:
:

:
:
: ORDER ACCEPTING PLEA AGREEMENT
: AND JUDGMENT AND NOTICE OF
: HEARING
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Nancy A. Vecchiarelli regarding the change of plea hearing and plea agreement of Mario Minor which was referred to the Magistrate Judge with the consent of the parties.

On 6 December 2006, the government filed a three-count indictment against Mario Minor for conspiracy to distribute cocaine base and cocaine in violation of 21 U.S.C. Section 846, and possession of cocaine base with intent to distribute in violation of 21 U.S.C. Sections 841(a)(1)(and (b)(1)(C). On 11 January 2007, a hearing was held in which Mario Minor entered a plea of not guilty before Magistrate Judge Kenneth S. McHargh. On 24 April 2007, Magistrate Judge Vecchiarelli received Mario

Minor's plea of guilty and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Mario Minor is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Mario Minor is adjudged guilty of the lesser offense set forth in Count One of the Indictment, conspiracy to distribute cocaine base (crack), in violation of 21 U.S.C. Sections 846 and 841(b)(1)(C).

Sentencing will be:

9 July 2007 at 10:30 a.m.

**Courtroom 19-A
19th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated:

15 May 2007


UNITED STATES DISTRICT JUDGE